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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,470	12/29/2004	Jean-Christophe Jaillant	4590-367	2685
33308	7590	05/12/2008		
LOWE HAUPTMAN & BERNER, LLP 1700 DIAGONAL ROAD, SUITE 300 ALEXANDRIA, VA 22314				
EXAMINER				
TO, TUAN C				
ART UNIT		PAPER NUMBER		
3663				
MAIL DATE		DELIVERY MODE		
05/12/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/519,470

Applicant(s)

JAILLANT, JEAN-CHRISTOPHE

Examiner

TUAN C. TO

Art Unit

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 6, 14, and 15 recite: "computing a ground path that an aircraft would follow if a turn at the maximum rate". It is unclear whether or not the ground path can be computed if a turn is not at maximum rate.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knoll (US 20020010530A1).

Regarding claims 1, and 6, Knoll teaches a flight control display for orientation of the pilot during an approach of the aircraft toward a destination including displaying on a screen the feeler line and a ground path to be captured, in order to determine how place the aircraft in a turn in order to optimize the capture of the path to be captured (see figure 1 and paragraph 0024, the feeler line with arced sections (15, 16, 17) has been shown on the display). Knoll does not point out the step of computing a feeler line ground path that an aircraft would follow, however, such feature is obvious because while showing the feeler line on the display, the flight control display system of Knoll should have a computer system to compute such the feeler line.

As to claims 2, 3, and 7-9, Knoll teaches a display control system that guiding the pilot by providing the pilot with a projection of the destination and the final approach direction relative to the aircraft and the aircraft direction. Thus, via the display can control a turn command when the feeler line is tangential to the ground path to be captured, and that the turn command is controlled automatically or by the pilot of the aircraft. As to claim 10-13, it is well known in the art of experimentation/programming that one derives his or her own formulation/program to perform a system/method.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate an parametric equation as claimed in the aircraft navigation aid method, since it is well known in the art to compute and derive such the parametric equation in order to perform such the method.

As to claim 14, and 15, Knoll teaches a flight control display for orientation of the pilot during an approach of the aircraft toward a destination including displaying on a

screen the feeler line and a ground path to be captured, in order to determine how place the aircraft in a turn in order to optimize the capture of the path to be captured (see figure 1 and paragraph 0024, the feeler line with arced sections (15, 16, 17) has been shown on the display). Knoll does not point out the step of computing a feeler line ground path that an aircraft would follow, however, such feature is obvious because while showing the feeler line on the display, the flight control display system of Knoll should have a computer system to compute such the feeler line. It is well known in the art of experimentation/programming that one derives his or her own formulation/program to perform a system/method.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate an parametric equation as claimed in the aircraft navigation aid method, since it is well known in the art to compute and derive such the parametric equation in order to perform such the method.

Response to Arguments

Applicant's arguments filed 2/19/2008 have been fully considered but they are not persuasive.

The applicant traverse the previous rejection for the reason the cited reference to Knoll fails to disclose computing a feeler line ground path and displaying on a navigation screen both the feeler line ground path and a ground path to be captured.

The applicant's argument is not persuasive because Knoll directs to an aircraft navigation system/method including a display system for orientation of the pilot during an approach of the aircraft toward a destination.

Referring to figure 1 and paragraph 0024, Knoll illustrate a flight control display showing an aircraft (now shown) is flying in the flight section section (11) toward a last defined waypoint (12). The aircraft begins to turns at point 12, from which the approach to the destination (13). The feeler line includes the section (15) and (16) corresponding to the position (12) of the aircraft is tangent to the path (17). This fairly shows that the flight control display illustrated in figure 1 shows both the feeler line, which comprises section (15) and (16), as well as the ground path (17). Knoll does mention the step of computing a feeler line ground that an aircraft would follow, however, in order to display both the feeler line and the ground path as said above, the system/method as taught by Knoll is necessary to include a computer system for computing such the feeler ground path and the ground path prior controlling to display them on a display.

For the forgoing reason, the claims listed above would not be patentable over the cited prior art.

Conclusions

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tuan C To/

Acting Examiner of Art Unit 3663/3600

May 8, 2008

